

Applicants: Gary Brian Evans et al.
Appl'n. No.: 10/524,995
Filed: September 27, 2005
Page 2 of 3

REMARKS

Claims 1-27 are pending in the subject application. Claim 28 was canceled in a Preliminary Amendment filed on September 27, 2005.

In the May 14, 2007 Office Action, the Examiner requested that applicants make an election among VIII groups of inventions identified by the Examiner of claims to pursue in the present application.

In response to the restriction requirement, applicants hereby elect, with traverse, Group I, i.e. Claims 1-9, 11-18, 20-22, 23(part) and 24-28, drawn to compounds of formula (I), wherein pyrrolo[3,2-d]pyrimidines are formed, compositions and methods of intended use are embraced.

This election is made with traverse with respect to Group V. Applicants note that Group V (Claims 1-9, 11-18, 20-21 and 24-28) is drawn to compounds of formula (I), wherein pyrrolo[3,2-d]pyridines are formed, compositions and methods of intended use are embraced.

Applicants respectfully point out that if a search and examination of multiple groups can be made without serious burden on the Examiner, the Examiner must examine the application on the merits, even though it includes claims to independent or distinct inventions (MPEP §803). Applicants maintain that it would not place an undue burden on the Examiner to examine Groups I and V. A search for one Group would likely identify art pertinent to the other group. Accordingly, reconsideration and rejoinder of Groups I and V identified by the Examiner are respectfully requested.

Claims 1-9, 11-18, 20-22, 23(part) and 24-28 encompass the elected invention.

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Page 3 of 3

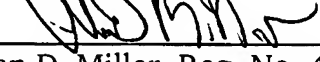
CONCLUSION

A check is enclosed for the \$120.00 fee for a one month extension of time. No other fee is deemed necessary in connection with the submission of this reply. However, if another fee is required in connection with this submission or to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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By 
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